

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
FIFTY-EIGHTH LEGISLATURE

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**FIFTEENTH LEGISLATIVE DAY**  
**MONDAY, JANUARY 24, 2005**

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Malepeai, absent and formally excused by the Chair; and Senators Cameron, Lodge, and Marley, absent and excused.

Prayer was offered by Chaplain Don Hardenbrook.

The Pledge of Allegiance was led by Sheryl Tubbs, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 21, 2005, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

Senators Lodge and Marley were recorded present at this order of business.

January 24, 2005

The JUDICIARY AND RULES Committee reports that **S 1042, S 1043, S 1044, S 1045, S 1046, S 1047, S 1048, S 1049, S 1050, S 1051, SCR 103, SJM 101, and SJR 101** have been correctly printed.

DARRINGTON, Chairman

**S 1042, S 1044, and S 1048** were referred to the State Affairs Committee.

**S 1043** was referred to the Transportation Committee.

**S 1045, S 1046, S 1047, S 1049, and S 1050** were referred to the Education Committee.

**S 1051** was referred to the Judiciary and Rules Committee.

**SCR 103** and **SJM 101** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

**SJR 101** was referred to the State Affairs Committee.

January 21, 2005

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Paul Kjellander to the Idaho Public Utilities Commission, term to expire January 10, 2011;

Lloyd Thies to the Bingo-Raffle Advisory Board, term to expire January 7, 2006.

BURTENSHAW, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

January 21, 2005

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

John T. Cowden to the Idaho Personnel Commission, term to expire July 1, 2009.

ANDREASON, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

January 24, 2005

The FINANCE Committee reports out **H 5** with the recommendation that it do pass.

CAMERON, Chairman

**H 5** was filed for second reading.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

Senator Cameron was recorded present at this order of business.

The President Pro Tempore announced the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Anna Jane Dressen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Darrington, seconded by Senator Burkett, the Gubernatorial appointment of Anna Jane Dressen as a member of the Idaho Commission of Pardons and Parole was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

#### S 1052

#### BY RESOURCES AND ENVIRONMENT COMMITTEE AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-1603, IDAHO CODE, TO PROHIBIT THE RETRIEVAL OF WILDLIFE ON CERTAIN LANDS WITHOUT THE PERMISSION OF THE OWNER OR PERSON IN CHARGE OF THE PROPERTY.

#### S 1053

#### BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO GUARDIANSHIPS; AMENDING SECTION 15-5-207, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO A COURT APPOINTMENT OF AN ATTORNEY OR GUARDIAN AD LITEM TO REPRESENT A MINOR; AND AMENDING SECTION 15-5-213, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO DE FACTO CUSTODIANS.

S 1052 and S 1053 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

S 1002, by Goedde, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

S 1025 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McGee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Marley, McGee, McKenzie, Noble, Pearce, Richardson, Schroeder, Stegner, Sweet, Werk, Williams. Total - 33.

NAYS--Stennett. Total - 1.

Absent and excused--Malepeai. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1025 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

### Miscellaneous Business

On motion by Senator Stegner, seconded by Senator Stennett, by voice vote the Senate adjourned at 12 noon until the hour of 11:30 a.m., Tuesday, January 25, 2005.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary